IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELATE CIVIL JURISDICTION

WRIT PETITION NO.7462 OF 2004

Mrs. Manju Maniraj ..Petitioner
Vs.
Union of India and others ..Respondents

Mr.Anil V. Anturkar, Adv. for Petitioner
Mr.T.J.Pandian, Adv. for Respondent no.4

CORAM: F.I. REBELLO &
S.P. KUKDAY, JJ.
DATE: 14TH FEBRUARY, 2005.

P.C.

. It is the contention of the petitioners that there has been no violation of Rule 242(b) of the Indian Railways Commercial Manual, as it has come in the evidence that no separate register for maintaining cash above three digits was maintained. It is also submitted that from the evidence on record more specifically of Shri Mahinderkar it is clear that there was no private cash register maintained for private cash more than permissible and the same is mentioned in Supervisor's Diary as a general practice for which no instructions has been issued.

. In reply to the charge-sheet the defence as raised by the petitioner herein was that the money which was found from a locker was brought for the purpose of purchasing tickets for her family member and friends. As such she has not violated any Rules. No such evidence was produced.

. The Authority considered the rule which requires that the staff working in the booking offices, parcel offices and good sheds whose duty actually involve cash transaction with the public must declare in writing, their private cash daily, before they take up their duties, in the station diary or in the cash book or in the separate register to be maintained, for this purpose. The specific categories of the staff to whom these instructions will apply included the petitioner. In other words the first part is the requirement of disclosure and the second part is recording in the book to be maintained. In view of the above even if the petitioner's contention is accepted that the book was not maintained, the duty to explain the cash found in the locker was on the petitioner. Petitioner in defence had set out that the the money for purchasing tickets was of her family members and friends did not prove the same. In our opinion considering the order of Enquiry Officer, Disciplinary Authority, Revisional Authority and the order of Central Administrative Tribunal does not suffer from any error apparent on the face of the record this would not be a fit case for this Court to exercise the extra ordinary jurisdiction. Hence, petition dismissed.

(F.I.REBELLO,J.)

(S.P. KUKDAY,J.)